



Date: May 25, 2016

DMHSAS Numbered Memo 2016-06
Replaces 2015-06

To: Human Services Area Coordinator
DHS Bureau Directors
County Departments of Community Programs Directors
County Departments of Developmental Disabilities Services Directors
County Departments of Human Services Directors
County Departments of Social Services Directors
County Mental Health Coordinators
Tribal Chairpersons/Presidents/Tribal Behavioral Health Directors

From: Patrick Cork, Administrator

Reimbursement for Mental Health High Cost Placements Ordered by a Tribal Court

Document Summary

Under 2009 Wisconsin Act 318, the state legislature authorized up to \$250,000 to fund high cost mental health placements of tribal members when county or tribal costs exceed \$50,000 annually and when treatment services are ordered by a tribal court. This appropriation is available to eligible tribes and/or counties for state fiscal year 2016.

Background

The enactment of 2009 Wisconsin Act 318 authorized up to \$250,000 of tribal gaming revenues to fund high cost mental health placements of tribal members when county or tribal costs exceed \$50,000 annually. This appropriation is available to eligible counties and tribes. These mental health placements must be ordered by a tribal court under tribal ordinances comparable to Wis. Stat. § 51.20, the mental health commitment statute that authorizes circuit courts to commit individuals for mental health treatment. Funds for this special allocation are transferred to the Department of Health Services (DHS) from tribal gaming funds for the period ending June 30, 2016.

The expenses for treatment costs can be incurred and claimed by either a tribe or a county department of human services, community programs, or social services. Funding up to \$250,000 is available for eligible expenses incurred during the period July 1, 2015, through June 30, 2016. Expenditures for the cost of mental health placements must exceed \$50,000 during this time period.

Criteria for Use of Funds

The criteria for the use of these funds include:

1. Any member of a tribe or band who has been court-ordered for mental health placement by a tribal court.

2. Placements eligible to be considered for reimbursement under this act must be made for the primary purpose of mental health treatment. This could include individuals who are developmentally disabled or who have a co-occurring substance abuse diagnosis.
3. The county or tribe may request reimbursement after the total annual expenditure for allowable services has exceeded \$50,000.
4. The placements must be ordered by the tribal court under tribal ordinances comparable to Wis. Stat. § 51.20 to be eligible for reimbursement.

Action Summary

To apply for these funds, please complete DHS form [F-00301](#), 2009 Wisconsin Act 318 High Cost Mental Health Fund Application and submit it by mail or email to:

Sarah Coyle
Policy Initiatives Advisor
Division of Mental Health and Substance Abuse Services
P.O. Box 7851
1 W. Wilson St., Room 850
Madison, WI 53707
Sarah.Coyle@wisconsin.gov

All requests for reimbursement from this funding source must be submitted by July 31, 2016. If requests for funding exceed available funds, allocations will be pro-rated based on total approved funding requests.

Up to \$250,000 may be available again for state fiscal year 2017 for the period July 1, 2016, through June 30, 2017, based on availability of tribal gaming revenues. If this funding is available, instructions for applying for these funds will be shared in the spring of 2017. The criteria for the use of these funds will be similar to the criteria this year.

For additional information and questions regarding this memo:

REGIONAL OFFICE CONTACT:

Area Administrators

CENTRAL OFFICE CONTACT:

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